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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/832,051	04/10/2001	Sinikka Sarkkinen	297-010144-US(PAR)	1105

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EXAMINER

DEAN, RAYMOND S

ART UNIT	PAPER NUMBER
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2684

DATE MAILED: 10/05/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/832,051

Applicant(s)

SARKKINEN ET AL.

Examiner

Raymond S. Dean

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 06 July 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1 - 18 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 11 - 12 is/are allowed.
- 6) ☒ Claim(s) 1, 10, and 17 - 18 is/are rejected.
- 7) ☒ Claim(s) 2 - 9 and 14 - 16 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 10 April 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
 - 2) ☐ Certified copies of the priority documents have been received in Application No. _____.
 - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1, 10, and 17 – 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over TSG-RAN Working Group 2 (TSGR2#2(99)148) in view of TSG-RAN Working Group 2 (TSGR2#2(99)150).

Regarding Claim 1, TSGR2#2(99)148 teaches a method for resetting a communication connection between a first communication device and a second communication device in a cellular radio system, comprising the steps of: detecting the need for resetting the communication connection (Section 2.3.2, when a need for resetting is detected a RESET PDU will be transmitted), transmitting from the first communication device to the second communication device a first piece of information indicating the need for resetting the communication connection (Section 2.3.2, the RESET PDU will comprise the first piece of information), and said first piece of information having an indicator value representing higher priority for transmitting said first piece of information than for transmitting ordinary data in said communication connection (Sections 2.3.2 – 2.3.3, when the protocol is reset the RESET PDU and the

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RESET ACK PDU take priority over ordinary data transmission), performing a resetting procedure at the second communication device (Section 2.3.3, when the protocol parameters are reset the RESET ACK PDU will be transmitted), transmitting from the second communication device to the first communication device a second piece of information indicating the completion of the resetting procedure with respect to the second communication device (Section 2.3.3) and using higher priority for transmitting said second piece of information than for transmitting ordinary data in said communication connection (Sections 2.3.2 – 2.3.3, when the protocol is reset the RESET PDU and the RESET ACK PDU take priority over ordinary data transmission).

TSGR2#2(99)148 does not teach inserting into a certain piece of information transmitted between the first communication device and the second communication device an indication of an effective number of certain resetting operations associated with a certain detected need for resetting the communication connection.

TSGR2#2(99)150 teaches inserting into a certain piece of information transmitted between the first communication device and the second communication device an indication of an effective number of certain resetting operations associated with a certain detected need for resetting the communication connection (Sections 2.1, 2.2.2, the RESET PDUs comprise sequence numbers (SN), which correspond to the sequence of the RESET PDU, ex. If it is the second reset the sequence number will be 2, the sequence number thus is the indication of the number of resetting operations).

It would have been obvious to modify the PDUs of TSGR2#2(99)148 with the sequence number of TSGR2#(99)150 as said sequence number is a part of the RLC protocol.

Regarding Claim 10, TSG2#2(99)148 in view of TSG2#2(99)150 teaches all of the claimed limitations recited in Claim 1. TSG2#2(99)148 further teaches the step of inserting into a certain piece of information, which is transmitted from the second communication device to the first communication device and indicates the completion of the resetting procedure with respect to the second communication device, an indication of the result of performing completed resetting operations at the second communication device (Section 2.3.3).

Regarding Claims 17, 18, TSG2#2(99)148 teaches a communication device/communication system for communicating/ arranging communication with/between a first communicating device and another/second communicating device within a cellular radio system over a communication connection comprising: means for detecting a need for resetting the communication connection (Section 2.3.2, when a need for resetting is detected a RESET PDU will be transmitted), transmission means for transmitting to the other communication device first pieces of information indicating the need for resetting the communication connection and second pieces of information indicating the completion of the resetting procedure (Sections 2.3.2 – 2.3.3), said first and second pieces of information having an indicator value representing a higher priority for transmitting said first and second pieces of information than for transmitting ordinary data in said communication connection (Sections 2.3.2 – 2.3.3, when the

protocol is reset the RESET PDU and the RESET ACK PDU take priority over ordinary data transmission), receiving means for receiving from the other communication device first pieces of information indicating the need for resetting the communication connection and second pieces of information indicating the completion of the resetting procedure (Sections 2.3.2 – 2.3.3), resetting means for performing a resetting procedure for the communication connection (Section 2.3.3, when the protocol parameters are reset the RESET ACK PDU will be transmitted).

TSGR2#2(99)148 does not teach means for inserting into a certain piece of information transmitted between it and the other communication device an indication of an effective number of certain resetting operations associated with a certain detected need for resetting the communication connection.

TSGR2#2(99)150 teaches inserting into a certain piece of information transmitted between it and the other communication device an indication of an effective number of certain resetting operations associated with a certain detected need for resetting the communication connection (Sections 2.1, 2.2.2, the RESET PDUs comprise sequence numbers (SN), which correspond to the sequence of the RESET PDU, ex. If it is the second reset the sequence number will be 2, the sequence number thus is the indication of the number of resetting operations).

It would have been obvious to modify the PDUs of TSGR2#2(99)148 with the sequence number of TSGR2#(99)150 as said sequence number is a part of the RLC protocol.

Allowable Subject Matter

3. Claim 2 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. The prior art of record fails to teach or show a **sequence number the value of which remains the same - after the need for resetting the communication connection has been detected - from the first step of transmitting from the first communication device to the second communication device a first piece of information indicating the need for resetting the communication connection to the next step of faultlessly receiving, at the first communication device, from the second communication device a second piece of information indicating the completion of the resetting procedure with respect to the second communication device.** Claims 3, 4, and 8 depend on Claim 2, Claims 5 and 6 depend on Claim 4, Claim 7 depends on Claim 6, and Claim 9 depends on Claim 8 therefore examiner gives same reason as set forth above.

Claim 13 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. The prior art of record fails to teach or show **increasing the value of a frame structure number at the second communication device, inserting an indicator of the increased value to said frame structure number into a certain piece of information, which is transmitted from the second communication device to the first communication device and indicates the completion of the resetting procedure with respect to the second communication**

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device, and as a response to receiving from the second communication device at the first communication device an indication of the completion of the resetting procedure with respect to the second communication device, setting a frame structure number at the first communication device into a value which is equal to that indicated by said indicator which was received from the second communication device. Claims 14 and 15 depend on Claim 13 and Claim 16 depends on Claim 15 therefore examiner gives same reason as set forth above.

4. The following is an examiner's statement of reasons for allowance:

Claim 11 is allowable for the same reasons as set forth in the Office Action dated February 13, 2004. Claim 12 depends on Claim 11 therefore examiner gives same reason as set forth above.


Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Raymond S. Dean whose telephone number is 571-272-7877. The examiner can normally be reached on 6:00-2:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nay A. Maung can be reached on 571-272-7882. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Raymond S. Dean
September 20, 2005

EDAN ORGAD
PATENT EXAMINER/TELECOMM.

1.0 9/30/05